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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - CINCINNATI

2024 SEP 25 PM 12:12

U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
WEST DIV CINCINNATI

UNITED STATES OF AMERICA,  
Plaintiff,  
v.

CASE NO. 1:24 CR 106  
JUDGE J. McFARLAND

MICHAEL EVAN CARNES,  
Defendant.

INDICTMENT

18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1)  
18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)

FORFEITURE ALLEGATION

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**THE GRAND JURY CHARGES:**

**COUNT 1**  
**(Distributing Child Pornography)**

On or about August 6, 2023, in the Southern District of Ohio and elsewhere, the defendant, **MICHAEL EVAN CARNES**, did knowingly distribute any child pornography, as defined in Title 18 United States Code Section 2256(8), to wit: video and image files on Kik Messenger; using any means and facility of interstate and foreign commerce and that has been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**In violation of Title 18 United States Code, Sections 2252A(a)(2)(A) and (b)(1).**

**COUNT 2**  
**(Possession of Child Pornography)**

On or about July 12, 2024, in the Southern District of Ohio, the defendant, **MICHAEL EVAN CARNES**, did knowingly possess a computer disk, and other material, to wit: an iPhone cellphone, that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, shipped and transported using any means and

facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, and which was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**In violation of Title 18 United States Code, Sections 2252A(a)(5)(B) and (b)(2).**

**FORFEITURE ALLEGATION**

Upon conviction of any offense set forth in this Indictment, the defendant, **MICHAEL EVAN CARNES**, shall forfeit to the United States, pursuant to 18 U.S.C. § 2253(a): (1) any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of Title 18, United States Code, Chapter 110, or any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, including but not limited to:

- a. iPhone, IMEI 356471107095484;
- b. iPad; and
- c. HP Laptop.

**SUBSTITUTE ASSETS**

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b), to seek forfeiture of any other property of the defendant, up to the value of the property described above.

A TRUE BILL

*JS/*  
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**GRAND JURY FOREPERSON**

**KENNETH L. PARKER  
UNITED STATES ATTORNEY**

  
**KYLE J. HEALEY  
ASSISTANT UNITED STATES ATTORNEY**